

May 26, 2000

## Why Isn't the Senate Doing the People's Business?

*[Editor's Note: Yesterday on the Senate Floor, Senator Jon Kyl (R-AZ) expressed some frustration likely shared by others in the Senate that we thought was worth calling to your attention. The following are (slightly edited) excerpts from that floor statement.]*

I am becoming very frustrated at the tactics of many people on the other side of the aisle, the Democratic minority, in attempting to preclude the Senate from doing its business, the people's business. The Majority Leader repeatedly has been thwarted by the minority, which seems intent on bringing the Senate to a standstill unless the majority accedes to the minority's request that they be permitted to offer amendments which are nongermane —irrelevant— to the subject matter of the Senate.

People appreciate that almost any organization has to have certain rules. In the House of Representatives, there are pretty strict sets of rules to apply. If one does not talk about things that are relevant to the pending business, someone can make an objection that this is out of order. In the Senate, the rules are much more liberal. Nevertheless, the Senate has essentially always had some rules respecting germaneness and relevancy. If, for example, a Senator raised a point that a proposed amendment to an appropriations bill was not germane, the proponent would have to get a majority of Senators to agree to keep it. We do this so we can get on with the business of the people.

Yet, that is the basic issue that has members of the minority upset, claiming we are gagging them. Nobody is being gagged. We are simply going to enforce the rules that allow us to progress. We all understand why we have to have rules such as that, and that is to keep the process moving along so that we can do the important business we have to do. Why wouldn't the minority want that?

### What Are Their Motives?

The minority party in the Senate seems to want to accomplish two objectives:

One is to prevent the majority from accomplishing anything this year so they can call us a do-nothing Congress; in other words, create a self-fulfilling prophecy.

By preventing us from doing anything, they will criticize the Majority Leader for not doing anything.

The other objective apparently is to be able to debate their agenda on their timetable. So whatever bill we bring up, they try to attach to it an irrelevant amendment relating to their agenda.

It is wrong to tie up the Senate for political gain.

Every year Congress has to pass 13 appropriations bills to keep the Government running. People get mighty upset when the Government cannot continue to operate. Who is stopping us from acting on these appropriations bills? The Democrats in the Senate will not let the majority bring up most of these appropriations bills. When I say they will not let us bring them up, people say how can they stop you? Under the rules of the Senate, one Member can object to any piece of legislation being brought up for its consideration or being voted on, and in order to override that person's objection, you have to get 60 votes to continue. That is called invoking cloture. Yet on these procedural matters, the Democratic Members tend to vote in a block, and with 55 Republicans, the net result is that we cannot get 60 votes to proceed.

We all get caught up in our own partisan battles here. That is to be expected. It is an election year, after all. Yet there are some things so important that we ought to get together as Democrats and Republicans and move the legislation forward. Among these are the appropriations bills.

We are behind in getting the appropriations bills to keep the government running. The danger as we approach the end of the fiscal year is that we will end up, instead of focusing on each of the appropriations bills, of putting all or most of the funding bills into one giant appropriations bill, a bill no one has the chance to scrutinize carefully, a bill that may contain errors or spending items most of us weren't aware of. It is impossible to have a good, informed vote on such a bill. The other danger is that instead of resolving disputes and prioritizing spending, and offsetting any new spending, that we may forgo the hard decisions and just add more money. And pretty soon we have busted the budget.

I hope people with goodwill can work this out, so when we come back from our recess, we can begin to get the people's business done and get it done on time. It is important for the future of this country.

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